

November 3, 2014

*Via Hand Delivery*

Mr. Darrell Nitschke  
Executive Director  
North Dakota Public Service Commission  
600 E. Boulevard, Dept. 408  
Bismarck, ND 58505-0480

In re: Meadowlark Midstream Company, LLC/Epping Transmission Company, LLC  
Little Muddy Creek Pipeline & Epping Station Project  
Williams County  
Our File No.: 65-363-002

Dear Mr. Nitschke:

Please find enclosed for filing of the following:

- 1) The original and ten copies of Joint Application of Meadowlark Midstream Company, LLC and Epping Transmission Company, LLC, for a Waiver or Reduction of Procedures and Time Schedules and for a Corridor Certificate and Route Permit;
- 2) The original and ten copies of Meadowlark Midstream Company, LLC and Epping Transmission Company, LLC's Consolidated Application for Certificate of Corridor Compatibility and Route Permit in Williams County, North Dakota;
- 3) Meadowlark Midstream Company, LLC's check in the amount of \$90,000.00;
- 4) Meadowlark Midstream Company, LLC's Certificate of Good Standing;
- 5) Epping Transmission Company, LLC's Certificate of Good Standing; and
- 6) Affidavit of Service by Mail.



We are also enclosing an electronic version of the application for your convenience.

Please call should you have any questions. Thank you.

Very truly yours,



John W. Morrison

lh  
enc.

cc: Williams County Auditor (via U.S. Mail)  
Katie Schmidt (via email)  
Megan Davis (via email)

**BEFORE THE PUBLIC SERVICE COMMISSION  
OF THE STATE OF NORTH DAKOTA**

Application of Meadowlark Midstream )  
Company, LLC and Epping Transmission )  
Company, LLC, for a Certificate of Corridor )  
Compatibility and Route Permit for the )  
Little Muddy Creek Pipeline, a 14 Mile )  
Long, 10-Inch Crude Oil Pipeline, and )  
associated facilities, Williams County, )  
North Dakota )

Case No. \_\_\_\_\_

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**JOINT APPLICATION OF MEADOWLARK MIDSTREAM COMPANY, LLC AND  
EPPING TRANSMISSION COMPANY, LLC, FOR A WAIVER  
OR REDUCTION OF PROCEDURES AND TIME SCHEDULES  
AND FOR A CORRIDOR CERTIFICATE AND ROUTE PERMIT**

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Applicants Meadowlark Midstream Company, LLC (“Meadowlark”) and Epping Transmission Company, LLC, (“Epping,” Meadowlark and Epping, jointly, “Applicants”), whose address for purposes of this Application is 5910 North Central Expressway, Suite 350, Dallas, Texas 75206, pursuant to the Energy Conversion and Transmission Facility Siting Act, codified at North Dakota Century Code Chapter 49-22 (“Act”), hereby submits this Application For a Waiver or Reduction of Procedures and Time Schedules and For a Corridor Certificate and Route Permit (“Application”).

Applicants request that the North Dakota Public Service Commission (“Commission”) waive and/or reduce procedures and time schedules required by the Act or in the Commission’s regulations set forth in Title 69-06 of the North Dakota Administrative Code, to accomplish the purposes as requested herein. These include, but are not limited to: (1) waive, pursuant to North

Dakota Century Code §§ 49-22-07.2, 49-22-13(2), and North Dakota Administrative Code § 69-06-01-02 and Chapter 69-06-06, the provisions of North Dakota Century Code §§ 49-22-08(5), 49-22-08.1(5), 49-22-13, and North Dakota Administrative Code § 69-06-01-02 which require separate filings of such applications, separate notices of such applications, separate hearings on such applications and certain time schedules as set forth in said statutes and rules; (2) allow consolidation of the certificate of corridor compatibility application and route permit application into one application; (3) approve a corridor of one mile in width; (4) hold one consolidated public hearing on this Application; (5) find that the proposed facilities are of such design, length, location and purpose that they will produce minimal adverse affects; and (6) designate and approve the requested facilities as identified in this Application and issue the appropriate corridor certificate and route permit.

The Commission's application guidelines for waiver of procedures and time schedules require the description of the facility, the need for the facility, the cost of the facility and justification for each provision of the Act for which Applicants are requesting a waiver, together with evidence that the project will produce minimal adverse effects or that a demonstrable emergency exists. As demonstrated in this Application, and summarized below, each of Applicants' requests for waivers and/or reductions of procedures and time schedules and the issuance of a corridor certificate and route permit are justified as the proposed facilities are of such design, length, location and purpose that they will produce minimal adverse effects, and that the urgent demand for additional pipeline capacity to deliver crude oil produced in the Williston Basin of North Dakota to markets and refineries in the United States requires

conversion of the existing gathering pipeline to facilitate construction of a transmission pipeline at the earliest possible date.

### **DESCRIPTION**

Meadowlark is proposing to convert an existing 10-inch gathering line that is approximately 10 miles long, located in Williams County, North Dakota, to a transmission line and construct approximately 4 miles of new 10-inch transmission line (the "Pipeline"). The Pipeline will transport oil from Meadowlark's Epping Station ("ES") near the city of Epping, North Dakota in Williams County to the existing Little Muddy Creek Station ("LMCS"), operated by North Dakota Pipeline Company LLC and located approximately 10 miles northwest of Epping. The project will include construction of one additional above-ground tank at the ES (the tank and the Pipeline, the "Project").

### **NEED**

The purpose of the Project is to transport crude oil from the ES to the LMCS, from which location it will be further transported through North Dakota Pipeline Company LLC's pipeline system. The Project will provide needed capacity to deliver an average of 50,000 barrels of oil per day to LMCS where it can be shipped by other systems to locations throughout the United States.

### **COST**

The total cost of constructing the Project is estimated at \$18 million.

### **JUSTIFICATION**

The environmental and cultural resource studies and reports which have been commissioned by Applicants for this project demonstrate that there will be minimal adverse

effects by construction. As a result, Applicants hereby submit that there is substantial justification as set forth under the Need section above for the requested waivers and/or reduction of time schedules and procedures as the Project will produce minimal adverse effects.

Applicants respectfully request the Commission to grant the requested waivers and/or reduction of procedures and time schedules; and to render an expeditious decision approving the requested corridor certificate and route permit.

Dated this 3<sup>rd</sup> day of November, 2014

Respectfully submitted,

MEADOWLARK MIDSTREAM COMPANY, LLC

EPPING TRANSMISSION COMPANY LLC

CROWLEY FLECK PLLP

Attorneys for Applicant

100 West Broadway, Suite 250

P.O. Box 2798

Bismarck, North Dakota 58502

By



JOHN W. MORRISON (#03502)

STATE OF NORTH DAKOTA )

)

COUNTY OF BURLEIGH )

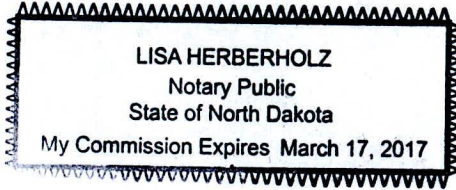
John W. Morrison, being first duly sworn on oath, deposes and says that he is the attorney for the applicant herein named, that he has read the above and foregoing application, knows the contents thereof, and that the same is true to the best of this affiant's knowledge, information, and belief.



JOHN W. MORRISON

Subscribed and sworn to before me this 3<sup>rd</sup> day of November, 2014.

( S E A L )



Lisa Herberholz  
Notary Public  
Burleigh County, North Dakota  
My Commission Expires: \_\_\_\_\_